

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

**IN RE: C.R. BARD, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY LITIGATION**

MDL 2187

THIS DOCUMENT RELATES TO ALL CASES IDENTIFIED IN EXHIBIT A

**PRETRIAL ORDER # 281
(Order Re: Mandatory Settlement Conference for Certain Unresolved Cases)**

Pursuant to Pretrial Order # 277, counsel recently provided a joint written report to the court identifying those cases with claims against Covidien LP¹ (“Covidien”), Sofradim Production SAS² (“Sofradim”) and/or Tissue Science Laboratories Limited³ (“TSL”) that remain in the Bard MDL despite good faith discussions contemplated in PTO # 277 over the past sixty days. In PTO # 277, I stated that by today, I would enter an order identifying the cases wherein a mandatory settlement conference will be conducted. Upon consideration of the written report submitted to the court and for the convenience of the parties, counsel and the court, it is **ORDERED** that the settlement conferences will be conducted as follows:

¹ Covidien LP includes any incorrect or incomplete spellings of this Defendant, as well as any improperly named affiliates of this defendant, including Covidien Holding, Inc., Covidien Inc., Covidien Incorporated, Covidien International Finance, SA, Covidien LLC, Covidien Ltd., Covidien Trevoux, SCS, Covidien plc, Covidien, Inc., Covidien, LLC, and Covidien, PLC, Tyco Healthcare Group LP, TYCO Healthcare, Tyco Healthcare Group, L.P., Tyco International Ltd, United States Surgical Corporation, United States Surgical Corp., Floreane Medical Implants SA, Floreane Medical Implants, SA, Mareane, SA, Mareane SA, Medtronic PLC, Medtronic International Technology, Inc., Medtronic MiniMed, Inc., Medtronic Puerto Rico Operations Co., Medtronic Sofamor Danek USA, Inc., Medtronic Sofamor Danek, Inc., USA, Inc., Medtronic USA, Inc., Medtronic, Inc. and Medtronic, Inc.

² Sofradim Production SAS includes any incorrect or incomplete spellings of this Defendant, including Sofradim Corporation, Sofradim Corp., Sofradim Production, and Sofradim Production, SAS.

³ Tissue Science Laboratories Limited includes any incorrect or incomplete spelling of this Defendant, including Tissue Sciences Laboratories, Tissue Science Laboratories Ltd., Tissue Science Laboratories, Inc., Tissue Science Laboratories, Limited and Tissue Science Laboratories, Ltd.

1. For the cases identified on Exhibit A⁴, attached hereto, the court will conduct a mandatory settlement conference in those cases beginning on **June 6, 2018, at 9:00 a.m.** in room 5600B and continuing from day-to-day thereafter.

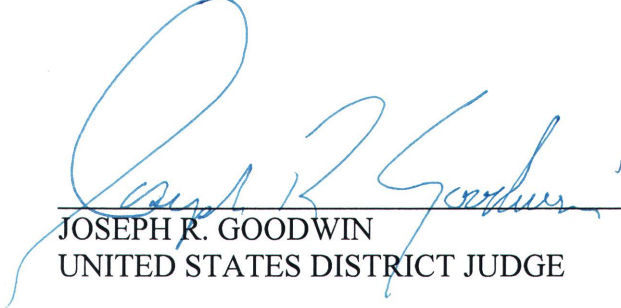
It is further **ORDERED** that (1) individual plaintiffs whose cases are scheduled for a settlement conference shall appear in person for the settlement conference with counsel of record as reflected on the docket sheet for that plaintiff's case; and (2) any plaintiff who fails to comply with this PTO may be subject to a substantial sanction, including dismissal with prejudice. Finally, it is **ORDERED** that if the parties reach a settlement in a case listed on Exhibits A, submission of an inactive docket order for that case will relieve plaintiff and her counsel from the obligation of attending the mandatory settlement conference.

The Court **DIRECTS** the Clerk to file a copy of this order in 2:10-md-2187 **and in the cases identified on Exhibit A**. In cases subsequently filed in this district after 2:18-cv-00679, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of this complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the Court. The orders may be

⁴ On Exhibit A, I also have included the case of *Navarro v. C. R. Bard, Inc., et al.*, 2:15-cv-5222, which I previously noticed for this settlement conference by separate order.

accessed through the CM/ECF system or the court's website at
www.wvsd.uscourts.gov.

ENTER: May 22, 2018



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

Exhibit A
Covidien Settlement Conference Cases

Case Name	Current Case Number
Jarnigan, Tammy J. and Robert	2:12-cv-08017
Prieto, Christina Albury and Felix	2:13-cv-01369
Potter, Sharon J. and Guy Danielson	2:13-cv-12095
Sebastian, Gail and Shannon Seals	2:13-cv-17049
Navarro, Marguerite Rose and Jesus	2:15-cv-5222